

**CITY OF PALMETTO
CITY COMMISSION MEETING
AND
SPECIAL CRA BOARD MEETING
November 15, 2010
7:00 PM**

PLEDGE OF PUBLIC CONDUCT

*We may disagree, but we will be respectful to one another.
We will direct all comments to issues.
We will avoid personal attacks.*

516 8th Avenue West
(941) 723-4570
Palmetto, Florida 34221
<http://www.palmettofl.org>

Shirley Groover Bryant, Mayor

Commission Members

**Tamara Cornwell, Vice Mayor, Commissioner-at-Large 2
Alan Zirkelbach, Commissioner-at-Large 1
Mary Lancaster, Commissioner, Ward 1
Tambra Varnadore, Commissioner, Ward 2
Brian Williams, Commissioner, Ward 3**

Anyone wishing to speak before the City Commission or the CRA Board must sign in and be sworn-in prior to the meeting, stating name, address and topic to be addressed. All comments will be limited to two minutes.

Call to order, followed by a Moment of Silence and the Pledge of Allegiance.

Certificate of City Canvassers: Results of the November 2, 2010 City Ward Elections (TAB 1)

Judge Gilbert Smith will administer the Oath of Office to Commissioner Tambra Varnadore, Ward 2.

Judge Gilbert Smith will administer the Oath of Office to Commissioner Mary Lancaster, Ward 1.

Judge Gilbert Smith will administer the Oath of Office to Commissioner Brian Williams, Ward 3

Presentation: Manatee County Veterans Council, represented by Bob Greene, Assistant Parade Chair, will present a plaque of appreciation for assistance during the Veterans Day Parade.

Swearing-in of all persons intending to address City Commission.

Public Comment (non-agenda items): None

1. CITY COMMISSION AGENDA APPROVAL

Action Request: Motion to approve the November 15, 2010 7:00 PM Agenda.

2. CITY COMMISSION CONSENT AGENDA

- A) Minutes: October 25, 2010, November 1, 3 and 8 Workshop and Commission (TAB 2)
B) October Check Register (TAB 3)
C) Special Function Permit: Palmetto B&B – Tour of Homes (TAB 4)
DeSoto Children's Parade
DeSoto Grand Parade
D) 2011 Holiday Schedule (TAB 5)
E) 2011 Commission Meeting Schedule (TAB 6)

Action Request: Motion to approve the November 15, 2010 Consent Agenda.

3. 2ND PUBLIC HEARING ORDINANCE NO. 2010-12 (L. Lyn) (TAB 7)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES; ZONING CODE, TO ADD CHILD CARE CENTER AS A CONDITIONAL USE IN THE COMMERCIAL CORE (CC) DISTRICT WITHIN THE SCHEDULE OF PERMITTED USES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Announce the 1st public hearing for Ordinance No. 2010-12 was held November 1, 2010, and resulted in a consensus that child care should be added to the Zoning Code as a conditional use in the CC district.

Open the public hearing. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 2010-12.

4. PUBLIC HEARING: ORDINANCE 2010-15 (L. Lyn) (TAB 8)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, VACATING PORTIONS OF 8TH AVENUE WEST AND 23RD STREET WEST, AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Open the public hearing. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 2010-15.

5. PUBLIC HEARING: ORDINANCE NO. 2010-16 (J. Freeman) (TAB 9)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO RELATING TO REAL PROPERTY; PROVIDING PURPOSE, INTENT, DEFINITIONS, AND APPLICABILITY, REQUIRING MORTGAGEE REGISTRATION RELATING TO REAL PROPERTY MORTGAGES IN DEFAULT; PROVIDING FOR AN ELECTRONIC FORM OF REGISTRATION; REQUIRING MAINTENANCE OF CERTAIN REAL PROPERTY BY PROPERTY OWNERS AND MORTGAGEES, PROVIDING SECURITY REQUIREMENTS; PROHIBITING OBSTRUCTION OF CODE ENFORCEMENT OFFICERS; PROVIDING FOR IMMUNITY OF CODE ENFORCEMENT OFFICERS; PROVIDING FOR ADDITIONAL MAINTENANCE AND SECURITY REQUIREMENTS; PROVIDING SUPPLEMENTAL AUTHORITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

Open the public hearing. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 2010-16.

6. PUBLIC HEARING: ORDINANCE NO. 2010-17 (M. Barnebeya) (TAB 10)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 17, ARTICLE III, OF THE CODE OF ORDINANCES, TO REVISE THE REQUIREMENTS RELATED TO THE PROVISION OF ATTAINABLE HOUSING; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Open the public hearing. Close the public hearing after public comment.

Action Request: Motion to adopt Ordinance No. 2010-17.

7. CODE ENFORCEMENT LIEN REDUCTION (J. Freeman) (TAB 11)
Palmetto Funding, LLC is requesting a reduction in a Code Enforcement lien on property located at 98 US 41 N. that was the subject of a mortgage foreclosure. CRA Director Jeff Burton requested at the November 1, 2010 meeting that the item be deferred to allow him time to investigate a possible purchase of the property.

Action Request: Motion to approve/deny the settlement of lien on property located at 98 US 41 N. in the amount of \$5,000.

8. RESOLUTION NO. 2010-38 (A. Tusing) (TAB 12)
Resolution No. 2010-38 authorizes execution of the FDOT LAP Funding Agreement for participation in the Haben Blvd. roundabout project.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT TO PROVIDE FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION'S PARTICIPATION IN THE INTERSECTION IMPROVEMENT PROJECT AT HABEN BOULEVARD AND 12TH AVENUE EAST.

Action Request: Motion to adopt Resolution No. 2010-38.

9. SCHOOL RESOURCE OFFICER CONTRACT APPROVAL (Chief Wells) (TAB 13)
Contract with School Board of Manatee County for two School Resource Officers located at Palmetto High and Lincoln Middle schools.

Action Request: Motion to approve and authorize the Mayor to execute the agreement with the School Board of Manatee County, regarding the funding of two School Resource Officers, for a term ending July 31, 2011

10. ENERGY SYSTEMS GROUP CONTRACT APPROVAL (J. Freeman) (TAB 14)
As part of the EECBG grant award, staff proposes to conduct an Investment Grade Audit to identify confirm energy efficient projects.

Action Request: Motion to approve and authorize the Mayor to execute the Investment Grade Energy Audit Agreement with Energy Systems Group, LLC, in an amount not to exceed \$9,000.

11. FINANCE DEPARTMENT REORGANIZATION (J. Freeman Item carried forward from the 4:30 agenda)

Action Request: Motion to approve phase 1 of the reorganization of the Finance Department, as presented, by adjusting the positions of accountant and account clerk to payroll clerk and purchasing clerk, respectively; create a part-time account clerk position; and approve the associated job descriptions.

12. 1st READ & ADVERTISING APPROVAL: ORDINANCE NO. 2010-19 (L. Lyn)

Item carried forward from the 4:30 agenda)

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF PALMETTO, FLORIDA, AMENDING CODE OF ORDINANCES, SECTION 28-74, TO ADD PROVISIONS RELATED TO THE JOINT USE OF PARKING FACILITIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action Request: Motion to approve for advertising and schedule a public hearing for December 6, 2010.

Recess the City Commission meeting to open the Special CRA Board meeting.

Reconvene the City Commission meeting.

13. 23rd STREET REALIGNMENT UPDATE/BASEBALL FIELD UPDATE (A. Tusing)

14. DEPARTMENT HEADS' COMMENTS

15. MAYOR'S REPORT

16. COMMISSIONERS' COMMENTS

17. PUBLIC COMMENTS FOR CITY COMMISSION

Anyone wishing to speak before the City Commission must complete the Speakers Card, stating name, address, and topic to be addressed and be sworn in prior to the meeting. All comments will be limited to two minutes.

18. ADJOURNMENT

If any person desires to appeal any decision of the City Commission, the CRA, or of any other Board of the City, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Fla. Stat. §286.0105).

The City of Palmetto does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status or handicapped status in employment or in the provision of services. Handicapped individuals may receive special accommodation in services on one working day's notice (Fla. Stat. §286.26) Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act should contact the City Clerk by telephone at 941-723-4570, fax 941-723-4576 or e-mail jfreeman@palmettofl.org or dponder@palmettofl.org.

POSTED: NOVEMBER 10, 2010